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October 25, 2000

NOTICE OF EX PARTE PRESENTATION

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
445 - 12th Street, S.W., TW-A325
Washington, DC 20554

Re: KM Communications, Inc.
Establishment of a Class A Television Service
MM Docket No. 00-10

Dear Ms. Salas:

Transmitted electronically herewith for filing is a memorandum describing the *ex parte* meeting on October 24, 2000, between KM Communications, Inc. and members of the staff of the Mass Media Bureau.

Very truly yours,

s/ Kenneth E. Hardman

Kenneth E. Hardman

Enclosure

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EX PARTE MEMORANDUM

MEMORANDUM

To: Ms. Magalie Roman Salas, Secretary
Federal Communications Commission

From: Kenneth E. Hardman

Date: October 25, 2000

Re: Establishment of a Class A Television Service
MM Docket No. 00-10

Kenneth E. Hardman and Jeffrey L. Timmons, representing KM Communications, Inc., met on October 24, 2000 with members of the staff of the Mass Media Bureau, including Keith A. Larson and Kim Matthews, concerning the Commission's reconsideration of the Report & Order in the above-referenced proceeding. Their discussion was confined to the following four issues and arguments raised by KM Communications in its petition for reconsideration dated June 9, 2000:

1. Clarification of the Commission's ruling that all means for interference analysis afforded to LPTV stations in the DTV proceeding would be available to Class A applicants.
2. Incorporation into Docket 00-10 of the principles established in ¶20 of *Achernar Broadcasting Company*, 15 FCC Rcd 7808 (FCC 2000), concerning protection of NTSC proposals embodied in settlements entered into prior to November 29, 1999.
3. Mandating the use of frequency offset by Class A stations when necessary to avoid interference to full power NTSC facilities, where the NTSC station pays the cost of conversion.
4. Clarification of the Commission's interpretation of Section 336(f)(1)(D) of the Communications Act, as added by the CBPA, that changes to DTV maximization proposals filed as of May 1, 2000, must be justified on the basis of technical problems if such changes adversely affect Class A licensees.